

**Section 12A Application from “Village Type Development” to  
“Government, Institution or Community (1)”  
for Regularisation of a Pre-cut-off Columbarium  
ancillary to Sai Lam Temple,  
Lot Nos. 63 and 296 (part) in D.D. 185,  
Sheung Wo Che No. 198, Sha Tin  
Further Information (I)**

西林寺





**Further Information in Support of Section 12A Rezoning Application from  
“Village Type Development” to “Government, Institution or Community (1)”  
for Sai Lam Temple  
at Lot Nos. 63 and 296 (Part), in D.D. 185, Sheung Wo Che No. 198, Sha Tin  
(Application No. Y/ST/60)**

---

**Further Information (I)**

**Responses to Departmental Comments**

- 1.1 Responses to Comments from Environmental Protection Department
- 1.2 Responses to Comments from Drainage Services Department
- 1.3 Responses to Comments from Transport Department
- 1.4 Responses to Comments from Geotechnical Engineering Office
- 1.5 Responses to Comments from Lands Department
- 1.6 Responses to Comments from Agriculture, Fisheries and Conservation Department
- 1.7 Responses to Comments from Buildings Department
- 1.8 Responses to Comments from Civil Engineering and Development Department
- 1.9 Responses to Comments from Food and Environmental Hygiene Department
- 1.10 Responses to Comments from Highways Department
- 1.11 Responses to Comments from Leisure and Cultural Services Department
- 1.12 Responses to Comments from Hong Kong Police Force
- 1.13 Responses to Comments from Antiquities and Monuments Office
- 1.14 Responses to Comments from Fire Services Department

- Appendix I: Revised Environmental Assessment**
- Appendix II: Revised Sewerage Impact Assessment**
- Appendix III: Revised Management Plan**
- Appendix IV: Revised Geotechnical Planning Review Report**

Toco Planning Consultants Ltd.

Leadtops Raymond Ltd.

OZZO Technology (HK) Ltd.

Blanc Studio

SMEC Asia Ltd.

Henry Chan & Partners Consultant Engineering Ltd.



## 1. RESPONSES TO COMMENTS FROM THE DEPARTMENTS

### 1.1 Response to Comments from the Environmental Protection Department (Subject Officer: David TSANG, Tel: 2835 1038)

Item	Departmental Comments	The Applicant's Responses
EPD(1)	<p>General:</p> <p>1. S.4.1.2 of Planning Statement (PS) stated that the columbarium would be closed on Ching Ming/Chung Yeung Festival Days. However, both S.1.3.3 of Environmental Assessment (EA) and Sewerage Impact Assessment (SIA) stated that the operating hours of the Project are from 8am to 6pm for festival periods including Ching Ming/Chung Yeung Festival. Please clarify and revise the relevant sections accordingly for information consistency.</p>	<p>S1.3.3 of EA and SIA are revised to be in line with the Planning Statement and for better readability and are attached in <b>Appendix I</b> and <b>Appendix II</b> respectively.</p> <p>Relevant section is revised for information consistency.</p>
EPD(2)	<p>2. Please be reminded to ensure information consistency between PS, EA and SIA (e.g. update Sha Tin OZP version, application site boundary and size in EA &amp; SIA; update in s.2.5.2 of EA that smokeless joss paper furnaces have been installed; supplement in PS that a pedestrian staircase near</p>	<p>The information including the updated Sha Tin OZP version, site boundary and section of the smokeless joss paper furnaces and pedestrian staircase are updated.</p> <p>As confirmed with the proponent, no pedestrian staircase will be constructed. Relevant section is removed.</p>

Item	Departmental Comments	The Applicant's Responses
	the ramp connecting MTR station and Pai Tau Street, as mentioned in S.3.3.3 of EA, is proposed subject to further agreement with other departments and parties).	
EPD(3)	3. Please note that ProPECC PN 1/94 has been superseded by ProPECC PN 2/24. Please update all relevant documents (e.g. PS and EA) accordingly.	All relevant documents updated.
EPD(4)	4. Please revise as “Sin Tin <u>Toa</u> Home for the Aged” in both EA and SIA reports.	Revised.
EPD(5)	<ul style="list-style-type: none"> <li>● <u>Environmental Assessment (Appendix XI)</u></li> <li>● <u>Noise</u></li> </ul> <p>5. S.3 – EPD's ProPECC PN 2/93 has been updated to be PN 1/24 - Minimizing Noise from Construction Activities. Please update the relevant sections accordingly.</p>	Relevant sections updated accordingly.

Item	Departmental Comments	The Applicant's Responses
EPD(6)	<ul style="list-style-type: none"> <li>● <u>Water Quality</u></li> </ul> <p>6. S.4.2 – It is suggested to include ETWB TC(W) No. 5/2005.</p>	ETWB TC(W) No. 5/2005 included in S4.2.3.
EPD(7)	<p>7. S.4.3.1 to S.4.3.2 – According to EPD's Hong Kong Environmental Database, there are watercourses to the Northeast, West, and Southwest of the application site within the 500m assessment area. Please include these watercourses as WSRs.</p>	Updated, please refer to Section 4.3.
EPD(8)	<p>8. S.4.3.1 to S.4.3.2 – Please tabulate the WSRs. The table shall include the WSR ID, description, type (natural watercourse, modified watercourse, channelized, pond etc), status (active, inactive), and estimated distance to the Project site. Please also indicate the WSRs in Figure 4-2.</p>	<p>Information regarding the WSRs provided in Table 4.1 and Figure 4-1 updated to illustrate the locations of the WSRs.</p> <p>Additionally, Figure 4-2 presents the downstream connections of the identified representative WSRs. During the site visit, a watercourse was observed flowing towards the trunk box culvert along Sha Tin Rural Committee Road. This watercourse is not shown at GeoInfo Map. For easy reference, site photos of the observed watercourse are provided below.</p> <p>GeoInfo Map:</p>

Item	Departmental Comments	The Applicant's Responses
		<div data-bbox="824 217 1261 550"></div> <p data-bbox="824 587 967 614">Site Photos:</p> <div data-bbox="824 619 1740 1375"></div>

Item	Departmental Comments	The Applicant's Responses
EPD(9)	9. S.4.3.3 – No box culvert was previously mentioned. Please clarify which “aforementioned box culverts” refers to.	S4.3.2 is updated. It refers to the box culvert connects the identified WSRs to Shing Mun River.
EPD(10)	10. S.4.4 – Please clearly state in S.4.4.1 no diversion/ alteration/ modification to the stream within the Project boundary. Otherwise, please assess the WQ impacts and provide mitigation measures accordingly.	S4.4.1 is revised.
EPD(11)	11. S.4.4 – Please provide a section to summarize the conclusion from SIA report to support there will be no adverse water quality impacts during construction phase.	Section 4.4.5 is added to summarise the conclusion from SIA Report and present the ADWF from the SIA Report.  The SIA report mainly discussed the sewerage impact from the site during its operation, the construction phase will not adversely affect water quality, as the work mainly involves minor renovations.
EPD(12)	12. S.4.4.3 – Please revise as “ <del>special</del> <u>licensed</u> contractor”. Please supplement “as no major construction works will be involved and by implementation of the Best Management Practices and guidelines from ProPECC PN 2/24, adverse water quality impacts will not be anticipated” after S.4.4.3.	S4.4.4 is added.

Item	Departmental Comments	The Applicant's Responses
EPD(13)	13. S.4.4.6 – The reference to paragraph 4.4.4 is incorrect. Please update.	S 4.4.8 is revised, which is corrected as the updated paragraph 4.4.6.
EPD(14)	14. S.4.4.7 – Please revise as “stored in in chemical”.	Revised
EPD(15)	<ul style="list-style-type: none"> <li>● <u>Sewerage Impact Assessment (Appendix XII)</u></li> </ul> <p>15. Table 3-1 – It is noted that the number of visitors in festival period is not aligned with that in the latest Traffic Impact Assessment. Please supplement in the SIA that this conservative assumption is for a worst-case scenario only.</p>	The number of visitors and staff in Table 3.1 and calculation in Appendices D and E are updated to align with the latest TIA report and information advised by the Applicant.
EPD(16)	16. S.3.2.6, Appendices B & C – Please advise whether the BEAM Plus New Building version and corresponding water consumption need to be updated.	The version of BEAM Plus New Building is updated to be 2.0. The calculation in the updated Appendices D and E has been updated accordingly.
EPD(17)	17. S.3.2.7, Appendices B & C – The unit flow factor (UFF) type for the on-site staff should be "J11	S 3.2.7 and calculations in Appendices D and E have been updated.



Item	Departmental Comments	The Applicant's Responses
	Community, Social & Personal Services", and a UFF of 0.28 should be deployed. Please revise this section and the calculations in appendices.	
EPD(18)	18. Table 3-2 – Please check if the table is for ADWF instead of peak daily flow.	S3.2.8 and the heading of Table 3-2 have been updated.
EPD(19)	19. Appendices B & C – The operation hours (from 09:00 to 18:00) are inconsistent to that in Planning Statement (i.e. 0800-1800).	<p>Calculation in Appendix D is updated. For peak grave sweeping days (calculation in Appendix D), the operation hour will be from 0800-1800.</p> <p>Calculation in Appendix E is for no-peaking periods. The operation time will be from 0900-1800.</p>

**1.2 Response to Comments from the Drainage Services Department (Subject Officer: Chris LAM, Tel: 2300 1573)**

Item	Departmental Comments	The Applicant's Responses
DSD(1)	<p>Please kindly note our comments on the SIA:</p> <ol style="list-style-type: none"> <li>Please note that EPD is the planning authority of sewerage infrastructure, submission of sewerage impact assessment (SIA) or any sewerage review shall be circulated to SIG/EPD for their comments and approval. Subject to EPD, it may be required to assess and demonstrate the potential sewerage impact to the existing sewerage system, and formulate appropriate mitigation measures if any adverse sewerage impact is identified;</li> </ol>	<p>Noted. The SIA have been circulated to SIG/EPD for their comments and approval.</p>
DSD(2)	<p>2. Appendix B - Please review whether the estimation approach of sewage flow generated from public toilet should be considered as peak flow instead of average dry weather flow, and revise the hydraulic calculations as appropriate;</p>	<p>Appendix D and E are updated. The calculation of the sewage flow from the permanent toilets have considered a conservative assumption of visitors. The revised SIA is attached in <b>Appendix II</b>.</p> <p>The descriptions of the catchment areas in Appendices D and E (Calculation of Flow Capacity) have been revised to clearly indicate the source of ADWF for ease of reference.</p>

Item	Departmental Comments	The Applicant's Responses
DSD(3)	3. Appendix B (CALCULATIONS OF SEWAGE GENERATION DURING PEAK PERIOD) - Please review the calculations of Qp (Estimated total peak flow from the Site during peak season).	The calculations of Qp in Appendix D and E are revised.

**1.3 Response to Comments from the Transport Department (Subject Officer: Ka Tung LEUNG, Tel: 2399 2404)**

Item	Departmental Comments	The Applicant's Responses
TD (1)	<p>3. Nevertheless, it seems that FEHD's confirmation on the above figures is outstanding up to date. I would reserve my right to provide further comments upon the receipt of the responses from FEHD. Notwithstanding the above, I have the following comments on the Management Plan (MP) from traffic engineering point of view.</p> <p>1. Please specify the number of unsold niche in the MP and clarify if all the niches are sold in the MP;</p>	<p>Please be advised that all the niche information in the Management Plan are all ‘sold’ niches, which tallies with the Private Columbarium Licensing application(s) submitted to the Private Columbarium Licensing Board. The ‘unsold’ niches is 0 (zero), and has been specified in the revised Management Plan (attached in <b>Appendix III</b>).</p> <p>According to FEHD’s latest comment, it is preliminary noted that the total number of niches proposed for the SI applications apparently tally with that as shown in this planning application (Application No. Y/ST/60) and all the niches covered by this application were sold before 30 June 2017 (see attached <b>on the following page</b>). Having said that, PCAO is still in the course of detailed checking of the niche information to verify its accuracy.</p>
TD (2)	<p>2: The number of the sold niche, interred niche and unsold niche in this application is different from my record;</p>	<p>Please see response to TD(1) in regards to the number of sold and unsold niches.</p> <p>In regards to the interred (i.e. occupied) niche number, it will be subject to changes as niches that are already sold before the enactment date are allowed to inter niches under the Private Columbaria Ordinance. Nevertheless, an occupied niche number as at a certain date has been included into the revised Management Plan.</p>
TD (3)	<p>3. Please advise if agreement with the sold niches purchasers has been reached for Visit-By-Appointment Booking System;</p>	<p>According to page 8 and 9 of the revised Management Plan, all niches of Sai Lam Temple have already sold in this case. There is a clause in the original sales agreement that mentions house rules could be subject to changes according to the further development and management of the Temple. Therefore, once the Licence has been approved by the PCLB, the Applicant will based amend the house rules and include the measures (but not limited to Visit-By-Appointment System) so that all visitors will have to obey such arrangements. Once the house rules has been amended, it will be sent to all Sai Lam Temple’s members of such changes.</p>



**FEHD (Subject Officer: Raymond CHAN, Tel: 3141 1231):**

Under the Private Columbaria Ordinance (the PCO), only private columbaria that have obtained a licence may sell or newly let out niches. Any private columbarium which applies for a licence must comply with the Town Planning Ordinance (Cap. 131) and other requirements prescribed in the PCO or specified by the Private Columbaria Licensing Board (the PCLB), including land-related, building-related, right to use the columbarium premises, deed of mutual covenant (if applicable), fire safety, etc. Section 18(2) of the PCO stipulates that the PCLB may grant a licence only if a management plan submitted by the applicant has been approved by the PCLB. The management plan submitted to the PCLB should cover matters including the holding capacity for visitors and admission control, the traffic and public transport arrangement or

management, crowd management, security management, manpower deployment on peak grave sweeping days or periods and other days or periods, a contingency plan in the event of fire or other emergency situations, etc. For cases in which planning permission has been given by the Town Planning Board (the TPB), the management plan should include the crowd and traffic management measures accepted (and the conditions imposed) by the relevant departments and the TPB when the TPB approved the planning application. In considering the management plan submitted by a licence applicant, the PCLB will take into account comments provided by concerned departments including Transport Department, the Police, Fire Services Department and the Planning Department (PlanD). If a licence application is approved by the PCLB, the Private Columbaria Affairs Office (PCAO) will oversee the monitoring of the licensee's implementation of the approved management plan in coordination with other concerned departments.

Regarding the private columbarium named "Sai Lam Temple (西林寺)" at No. 198 Sheung Wo Che, Sha Tin, New Territories (DD 185 Lot 63, 296(Part)), a set of the specified instrument (SI) application (viz. a licence and temporary suspension of liability(TSOL)) in respect of a pre-cut-off columbarium was received by PCLB and the applications are being processed by the Private Columbaria Affairs Office (PCAO). "Approval-in-principle for TSOL Application has been given to the subject columbarium with a validity period of 3 years from 17.8.2020 to 16.8.2023, and subsequently being renewed with a validity of 3 years from 17.8.2023 to 16.8.2026. Giving an "Approval-in-principle for TSOL Application" does not mean that the application for a Licence in respect of the columbarium concerned will be approved eventually.

Based on the proposed plans submitted by the applicant in support of its SI applications, it was preliminary noted that the total number of niches proposed for the SI applications apparently tally with that as shown in this planning application (Application No. Y/ST/60) and all the niches covered by this application were sold before 30 June 2017. Having said that, PCAO is still in the course of detailed checking of the niche information to verify its accuracy. Chapter 18(B)(ii) of the above-mentioned Application Guide should be applied to this application upon acceptance of proposed plan and niche information by PCAO as well as verification by on-site inspection. Once the PCAO has completed vetting of the niche information and accepted such

information as a basis for further processing of the licence application, the PCAO will notify the relevant departments of the verification result. In view of the toilet facilities are not the essential ancillary facility for this specified instrument (SI) application, PCAO has no comments/objection for the arrangement of the toilet at Appendix VIII.

Item	Departmental Comments	The Applicant's Responses
		<p>In any case, the Applicant will design and prepare a detailed notice for future use, which will consist of the measures in the Management Plan including the traffic and crowd management measures that will be implemented by the Temple, and will send to each niche purchaser a copy two month prior to each Festival by mail, email, SMS or Whatsapp and other possible notification means, if applicable for their information and compliance, to make sure all purchasers have been reached.</p>
TD (4)	<p>4. According to paragraph 5(f), the maximum number of visitors inside the columbarium halls will not be more than 116 persons within each 30-minute time-slot. However, the number of visitors within each session (i.e. 30-minute) would be limited to below 150 visitors as per paragraph 6;</p>	<p>A maximum of 150 visitors will be accommodated per 30-minute session. This includes a maximum of 116 visitors inside the columbarium building for worship and the other 34 visitors waiting at holding areas outdoors.</p> <p>To ensure effective crowd management, the following measures will be implemented, admission cards will be issued to visitors, and only those with a valid card will be permitted to enter the columbarium buildings. Each hall has a designated number of cards corresponding to its capacity limit. The total number of cards for the entire indoor columbarium building is 116 which is the maximum indoor capacity.</p> <p>Visitors with advanced booking will be guided for registration at the entrance of the site, and they will receive a card specific to a designated hall upon registration. Visitors are required to return their cards to staff upon exiting the site, enabling the redistribution of cards to new visitors. Once all cards for a hall are distributed, no additional visitors will be allowed entry until cards are returned.</p> <p>Relevant measures have been incorporated in the revised Management Plan attached in <b>Appendix III</b>.</p>
TD (5)	5. Please indicate the size of the holding area on	We would like to clarify that all proposed holding areas are within the Application Site (i.e.



Item	Departmental Comments	The Applicant's Responses
	Government Land (if any) on plan. Furthermore, consent from relevant Government Departments) should be obtained to use the Government Land as holding area (if any); and	private lots only).
TD (6)	6. The proposed contingency plan for traffic/crowd management on Pai Tau Street and Sha Tin Rural Committee Road behind the Grand Central Plaza leading to Sai Lam Temple in paragraph 10.8 should be agreed by the Hong Kong Police Force.	Noted.  The Management Plan with contingency plan included has been circulated to the Hong Kong Police Force, the police has no further comments on it.
TD (7)	4. As there are issues out of my purview, the applicant should separately seek comments from FEHD and other Government Departments on the MP accordingly. Transport Operations (New Territories) Division of TD will provide comments on the captioned application from traffic operation point of view separately.	Noted.
TD (8)	5. The information in paragraph 2 forms the basis of our technical assessment. It is understood the FEHD may have concerns on including of the information in paragraph 2 into the main paper of Town Planning Board. By copy of this memo, grateful if FEHD would advise Planning Department accordingly.	Noted.

**1.4 Response to Comments from the Geotechnical Engineering Office (Subject Officer: K K CHAN, Tel: 2762 5371)**

Item	Departmental Comments	The Applicant's Responses
GEO(1)	2. It is noted that the Appendix XIII of the Planning Statement - Geotechnical Planning Review Report (GPRR) was originally prepared for previous planning application, in which the site boundary is larger and some information was collected in 2020 (e.g. Appendix C - Slope Information System (SIS) Records, etc.). Please ask the Consultants to update the information in the GPRR accordingly.	Noted. Information in GPRR updated in April 2025 version and attached in <b>Appendix IV</b> .
GEO(2)	3. Furthermore, please find the following geotechnical comments on the GPRR: a. Section 2.2.1 - Please advise the applicant that the geological map referenced in the text is inconsistent with the one shown in Appendix B.	Noted. Section 2.2.1 has been amended accordingly. The published geological maps indicate the identifying geology is debris flow deposits in Superficial Deposit.
GEO(3)	b. Section 2.2.3 - Please advise the applicant that the review of how the natural terrain may affect the proposed development is not solely based on landslide records. Please remind the applicant to make reference to the guidance provided in GEO Report No.	There is no natural slope nearby the Application Site.

Item	Departmental Comments	The Applicant's Responses
	138 (Second Edition) in reviewing the natural terrain hazard. Please also advise the applicant that there are landslide records in the surrounding area.	
GEO(4)	4. Based on Section 5.3 of the Planning Statement and the GPRR, three registered features affecting the subject site maintained by the applicant were identified, while further studies to these three features are required and will be carried out "in the implementation stage after planning approval of section 16 planning application is obtained" and "all slope stabilities shall be established and if found necessary to upgrade the features up to current standard". In view of the above, please remind the applicant to make submission of the geotechnical studies and necessary upgrading works for these three features to the Buildings Department (BD) in connection with the planning application.	Noted. Necessary submission for studies and submissions to relevant government departments will be made accordingly regarding the 3 registered features subject to the approval of the current s.12A rezoning application in the subsequent s.16 planning application.
GEO(5)	5. It is suspected that unauthorised site formation works and/or building works	The Applicant confirmed there was no UBW notice serve to them from relevant government authorities to date.

Item	Departmental Comments	The Applicant's Responses
	had been carried out since 2007.	In addition, in view the captioned ancillary columbarium is considered as “pre-cut-off” columbarium, alternative approach for structural assessment could be adopted. Under the private columbarium licensing application, BD considers the Applicant has complied with the building requirements under the licensing application, which has been attached in <b>Annex X of Appendix II of the Planning Statement</b> .



**1.5 Response to Comments from the Lands Department (Subject Officer: Shu Keung CHIC, Tel: 2158 4865)**

Item	Departmental Comments	The Applicant's Responses
LandsD(1)	<p>2. The Application site comprises two private lots, namely Lot Nos. 63 and 296(Part) in D.D. 185.</p> <p>(i) Lot No. 63 in D.D. 185 ("Lot 63")</p> <p>(a) Lot 63 is an old schedule lot and has a total site area of 0.1 acre (about 404.7m<sup>2</sup>) comprising 0.04 acre (about 161.9m<sup>2</sup>) for building use and 0.06 acre (about 242.8m<sup>2</sup>) for agricultural use subject to no offensive trade restriction under the Block Government Lease. Moreover, under the Block Government lease, no building nor structure without the prior approval of the Government shall be erected on Lot 63.</p>	Noted.
LandsD(2)	<p>(b) According to our record, part of the Building E (H5) in Table 4.2 of the Planning Statement has been erected on Lot 63 with the built-over area exceeding 0.04 acre for building use as aforesaid. Notwithstanding, this office has no record for the prior approval of this building erected on Lot 63.</p>	<p>Noted.</p> <p>Subject to the agreement to the s.12 rezoning application and upon approval of the subsequent s.16 application, the owner of the subject lots will apply to Lands Department for a temporary waiver of any breach of lease conditions covering the subject private lots at the application site.</p>
LandsD(3)	<p>(ii) Lot No. 296 in D.D. 185 ("Lot 296")</p> <p>(a) Lot 296 was sold in 1933 as a</p>	Noted.

Item	Departmental Comments	The Applicant's Responses
	<p>building and garden lot under the New Grant No.</p> <p>ST 6292 subject to the conditions under Government Notification No. (GN) 570 of 1924 as amended by GN 470 of 1931 and has a total site area of 0.23 acre (about 930.8m<sup>2</sup>). Under the GNs, Lot 296 are subject to the following salient development conditions:</p> <p>(I) a height restriction of not more than two storeys.</p> <p>(II) no building erected on this lot shall be used as a "Chai Tong".</p> <p>(III) no grave or any human remains shall be deposited on this lot.</p>	<p>Subject to the agreement to the s.12 rezoning application and upon approval of the subsequent s.16 application, the owner of the subject lots will apply to Lands Department for a temporary waiver of any breach of lease conditions covering the subject private lots at the application site.</p>
LandsD(4)	<p>(b) According to our record, the existing Building D (H4) exceeding the permitted building height restriction and all other buildings within Lot 296 are for columbarium use with niches of human remains.</p>	
LandsD(5)	<p>3. In view of the above, the existing buildings within Lot 63 and Lot 296 (including the existing columbarium use) are in breach of the relevant lease</p>	

Item	Departmental Comments	The Applicant's Responses
	<p>conditions governing the lots. In particular, warning letter dated 31.3.2016 for the breach of conditions governing Lot 296 against the deposit of human remains was already registered in Land Registry on 27.6.2016.</p>	
LandsD(6)	<p>4. Lease modification and/or Short Term Waiver ("STW"), as appropriate are required to regularize the breaches as aforesaid. In particular, under the established policy and procedure for processing regularization application for the Licensing Scheme under the Private Columbaria Ordinance (Cap 630), if the present s.12A planning application and the subsequent s.16 planning application for columbarium use are approved by Town Planning Board and the Private Columbaria Licensing Board of Food and Environmental Hygiene Department gives "in principle approval" to issue the relevant Specified Instruments under Cap 630 to the columbarium, the lot owner shall apply to our office for a lease modification and/or STW to</p>	Noted and agreed.

Item	Departmental Comments	The Applicant's Responses
	<p>regularize the breach of the relevant lease condition for the columbarium. However, there is no guarantee that the application for any lease modification and/or STW will be processed and approved. Such application, if received and processed by Lands Department, will be considered by Lands Department acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including, among others, the payment of premium/waiver fee and administrative fee as may be imposed by Lands Department. Lands Department reserves all rights to take lease enforcement action against the breach of the Government Lease. The applicant should be reminded that the detailed parameters of buildings erected on the lots are required to be verified/certified by the relevant professional engaged by the applicant at the stage when land regularization is being processed by this office.</p>	
LandsD(7)	5. Apart from the above, please also	

Item	Departmental Comments	The Applicant's Responses
	<p>note our comments on the Application below:</p> <p>(a) Regarding the off-site temporary measures and facilities to be implemented outside the lots, including but not limited to the Management Plan at Appendix X for several administrative measures during festival days and the toilet facilities as mentioned in para. 4.4(b) of the Planning Statement as well as the Sewerage Impact Assessment at Appendix XII, please note that part of these proposals submitted by the applicant are implemented outside the lots and so if the Application is approved by the TPB and any planning conditions for such measures and facilities are imposed by the TPB, they cannot be written into nor enforced through the relevant lease document for the lease modification and/or STW. The applicant shall liaise with the relevant departments, e.g. TD, HyD, FEHD and HKPF on how to implement their proposals if the Application is approved by Town Planning Board.</p>	<p>(a) According to discussions with Private Columbaria Affairs Office (PCAO), it is understood that essential facilities to the operation of the columbarium must be within the columbarium licensing boundary (i.e. columbarium halls and eco-furnace). According to PCAO, in view of the toilet facilities are not the essential ancillary facility for this specified instrument (SI) application, PCAO has no comments/objection for the arrangement of the toilet at Appendix VIII of the Planning Statement.</p> <p>In regards to the traffic and crowd management measures, subject to the approval of the current S.12A rezoning application, the Management Plan which includes (but not limited to) administrative measures and traffic and crowd management measures, will then be submitted to the Private Columbaria Licensing Board (PCLB) for approval under the licensing requirement. Section 18(2) of the PCO stipulates that the PCLB may grant a licence only if a management plan submitted by the applicant has been approved by the PCLB. If a licence application is approved by the PCLB, the PCAO will oversee the monitoring of the licensee's implementation of the approved management plan in coordination with other concerned departments. Any result in an unacceptable traffic situation by the Application Site would result in the revoke of License from PCLB.</p>

Item	Departmental Comments	The Applicant's Responses
LandsD(8)	(b) According to Plan E at Appendix X, a portion of government land is proposed to be the designated assembly point in their Emergency Evacuation Plan. According to our record, the concerned government land is currently allocated to Geotechnical Engineering Office of Civil Engineering and Development Department ("CEDD") under STLA-TST 127 on quarterly basis and STLA-TST 178 up to 14.3.2026 and thereafter quarterly for works area purpose. The applicant should seek comments from CEDD, Fire Services Department and other relevant departments on the Emergency Evacuation Plan. I must stress that there is no guarantee that the concerned government land can be reserved or released for the proposed emergency evacuation and assembly purposes.	(b) Thank you for the information regarding the proposed assembly point in the Emergency Evacuation Plan is currently in use by relevant Government department. The location of the assembly point has been slight adjusted to be at the side of the access towards Sai Lam Temple, and attached in the Revised Management Plan in <b>Appendix III</b> . The location is a predetermined safe location temporarily for visitors inside of Sai Lam Temple only in case of an alarm of fire or any other emergency.
LandsD(9)	(c) Currently, Sai Lam Temple is surrounded by boundary walls and gate illegally erected on the government land and the enclosed area of Sai Lam Temple is larger than the Application	(c) The current s.12A rezoning boundary is in line with the PCLB licensing boundary which has been agreed upon together with PCAO officers previously. The Applicant has intention to regularize other parts by Short Term Tenancy if it is acceptable by other relevant Government departments.



Item	Departmental Comments	The Applicant's Responses
	<p>site for the existing religious and columbarium uses. The Applicant should clarify whether they will revise the boundary of the Application site to cover the larger area. Moreover, regularization of this illegal occupation by short term tenancy upon application may be considered by LandsD if such existing use of the larger area is acceptable by PlanD (under the planning regime) and other departments. Otherwise, our office will accord priority to take land control action against such illegal occupation of government land. Having said that, there is no guarantee that the STT application will be approved. Such application, if approved, would be subject to such terms and conditions including, among others, the payment of rent and administrative fee as may be imposed by Lands Department. I must emphasize that the Government reserves all rights to take appropriate land control actions against any illegal occupation of government land.</p>	
LandsD(10)	6. The applicant is not the registered	Noted.

Item	Departmental Comments	The Applicant's Responses
	<p>owner of Lot 63 and Lot 296. According to the Land Registry Record, there is tenancy agreement between the owner of the lots and the applicant.</p> <p>However, this office is not in the position to advise the right of the applicant over the said private lots and you are suggested to clarify with the applicant direct. I have to remark that we will only accept the application for any lease modification/STW, as appropriate of private lots to rectify the any breaches under the lease submitted by the registered owner and any approved lease modification and/or STW must be executed by the registered owner of the lots.</p>	<p>The Applicant will notify the registered owner of Lot 63 and Lot 296 to apply for relevant land applications subsequent to the approval of the current s.12A rezoning application.</p>

**1.6 Response to Comments from the Agriculture, Fisheries and Conservation Department (Subject Officer: Nelson SO, Tel: 2150 6951)**

Item	Departmental Comments	The Applicant's Responses
AFCD(1)	He has no comment on the captioned application.	Noted.

**1.7 Response to Comments from the Buildings Department (Subject Officer: Jonathan YIU, Tel: 2626 1293)**

Item	Departmental Comments	The Applicant's Responses
BD(1)	3. There is no record of approval by the Building Authority for the structures existing at the application site and Building Department (BD) is not in a position to offer comments on their suitability for the use related to the application.	Noted.
BD(2)	4. If the existing structures are New Territories Exempted House (NTEH) under the Building Ordinance (Application to the New Territories) Ordinance (Cap 121 or the previous Cap 322), District Land Officer/Shu Tin (DLO/ST) should be in a better position to comment on the captioned application.	Noted.
BD(3)	5. The application's attention is drawn to the following points:  (i) If the existing structures are erected on leased land without approval of the BD (not being a New Territories Exempted House), they are unauthorized under the Building Ordinance (BO) and should not be	Noted.  The captioned ancillary columbarium within Sai Lam Temple is regarded as “Pre-cut-off” Columbarium, and under the private columbaria licensing application, special requirements/ standards could be applied to these columbaria. As attached in <b>Annex X of Appendix II in the Planning Statement</b> , the Buildings Department considers that Sai Lam Temple has fulfilled the buildings requirement for the licensing application, subject to the conditions listed in the letter (i.e. 附錄 2).

Item	Departmental Comments	The Applicant's Responses
	designated for any approved use under the captioned application unless such is permissible under the Private Columbaria Ordinance (Cap 630).	
BD(4)	(ii) Before any new building works (including container/open sheds as temporary buildings) are to be carried out on the application site, the prior approval and consent of the BD should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO.	Noted.
BD(5)	(iii) For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the application site under the BO.	Noted.

Item	Departmental Comments	The Applicant's Responses
BD(6)	(iv) If the proposed use under application is subject to the issue of a licence, please be reminded that any existing structure on the application site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.	Noted.
BD(7)	(v) In connection with (ii) above, the site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively.	Noted.
BD(8)	(vi) If the site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.	Noted.
BD(9)	(vii) Detailed comments under the BO on individual sites for private developments such as permissible plot	Noted.

Item	Departmental Comments	The Applicant's Responses
	ration, site coverage, means of escape, fire resisting construction, emergency vehicular access, private streets and/or access roads, etc. will be formulated at the building plan submission stage.	
BD(10)	(viii) Apart from the BO, the use and operation of a columbarium is also subject to the control of various other legislations on town planning, environmental hygiene, traffic control, fire safety etc. and the land lease restrictions under the jurisdiction of the respective Government departments. In addition to complying with the requirements of the BO, the applicant should be also seek agreement / approval from the relevant departments and licensing authorities where applicable.	Noted.

**1.8 Response to Comments from the Civil Engineering and Development Department (Subject Officer: Kevin YIP, Tel: 3152 3576)**

Item	Departmental Comments	The Applicant's Responses
CEDD(1)	No comment from project interface point of view	Noted.



**1.9 Response to Comments from the Food and Environmental Hygiene Department (Subject Officer: Raymond CHAN, Tel: 3141 1231)**

Item	Departmental Comments	The Applicant's Responses
FEHD(1)	Under the Private Columbaria Ordinance (the PCO), only private columbaria that have obtained a licence may sell or newly let out niches. Any private columbarium which applies for a licence must comply with the Town Planning Ordinance (Cap. 131) and other requirements prescribed in the PCO or specified by the Private Columbaria Licensing Board (the PCLB), including land-related, building-related, right to use the columbarium premises, deed of mutual covenant (if applicable), fire safety, etc. Section 18(2) of the PCO stipulates that the PCLB may grant a licence only if a management plan submitted by the applicant has been approved by the PCLB. The management plan submitted to the PCLB should cover matters including the holding capacity for visitors and admission control, the traffic and public transport arrangement or	Noted and agreed. The Applicant will subsequently submit the Management Plan to PCLB subject to the approval of the current s.12A rezoning application.

Item	Departmental Comments	The Applicant's Responses
	<p>management, crowd management, security management, manpower deployment on peak grave sweeping days or periods and other days or periods, a contingency plan in the event of fire or other emergency situations, etc. For cases in which planning permission has been given by the Town Planning Board (the TPB), the management plan should include the crowd and traffic management measures accepted (and the conditions imposed) by the relevant departments and the TPB when the TPB approved the planning application. In considering the management plan submitted by a licence applicant, the PCLB will take into account comments provided by concerned departments including Transport Department, the Police, Fire Services Department and the Planning Department (PlanD). If a licence application is approved by the PCLB,</p>	

Item	Departmental Comments	The Applicant's Responses
	the Private Columbaria Affairs Office (PCAO) will oversee the monitoring of the licensee's implementation of the approved management plan in coordination with other concerned departments.	
FEHD(2)	Regarding the private columbarium named "Sai Lam Temple (西林寺)" at No. 198 Sheung Wo Che, Sha Tin, New Territories (DD 185 Lot 63, 296(Part)), a set of the specified instrument (SI) application (viz. a licence and temporary suspension of liability(TSOL)) in respect of a pre-cut-off columbarium was received by PCLB and the applications are being processed by the Private Columbaria Affairs Office (PCAO). "Approval-in-principle for TSOL Application has been given to the subject columbarium with a validity period of 3 years from 17.8.2020 to 16.8.2023, and subsequently being	Noted.

Item	Departmental Comments	The Applicant's Responses
	renewed with a validity of 3 years from 17.8.2023 to 16.8.2026. Giving an "Approval-in-principle for TSOL Application" does not mean that the application for a Licence in respect of the columbarium concerned will be approved eventually.	
FEHD(3)	Based on the proposed plans submitted by the applicant in support of its SI applications, it was preliminary noted that the total number of niches proposed for the SI applications apparently tally with that as shown in this planning application (Application No. Y/ST/60) and all the niches covered by this application were sold before 30 June 2017. Having said that, PCAO is still in the course of detailed checking of the niche information to verify its accuracy. Chapter 18(B)(ii) of the above-mentioned Application Guide should be applied to this application upon acceptance of	Noted.

Item	Departmental Comments	The Applicant's Responses
	<p>proposed plan and niche information by PCAO as well as verification by on-site inspection. Once the PCAO has completed vetting of the niche information and accepted such information as a basis for further processing of the licence application, the PCAO will notify the relevant departments of the verification result. In view of the toilet facilities are not the essential ancillary facility for this specified instrument (SI) application, PCAO has no comments/objection for the arrangement of the toilet at Appendix VIII.</p>	

**1.10 Response to Comments from the Highways Department (Subject Officer: Anson WAI, Tel: 2762 4098)**

Item	Departmental Comments	The Applicant's Responses
HyD(1)	As no public road / footpath being maintained by this Regional Office would be affected, we have no comment from highways maintenance point of view on the subject application please.	Noted.

**1.11 Response to Comments from the Leisure and Cultural Services Department (Subject Officer: Carol CHOY, Tel: 3167 7743)**

Item	Departmental Comments	The Applicant's Responses
LCSD(1)	Referring to the email below regarding the captioned subject. Please find comments offered by our colleagues as below:	Noted.
LCSD(2)	<p><b><u>Comments from Sha Tin District Leisure Services Office (STDLSO)</u></b></p> <p>No facilities under the jurisdiction of STDLSO therefore we have no particular comment on the captioned application.</p>	
LCSD(3)	<p><b><u>Comments from New Territories East Tree Team (NTETT)</u></b></p> <p>On the understanding that no existing tree maintained by LCSD (NTETT) would be affected, we have no specific comment on the subject.</p>	Noted.

**1.12 Response to Comments from the Hong Kong Police Force (Subject Officer: IP Ching-man, Tel: 6277 5333)**

Item	Departmental Comments	The Applicant's Responses
HKPF(1)	2. The Police has been mounting operations for crowd management and traffic control at Pai Tau Street, Shatin and its vicinity to facilitate the visit for grave-sweepers to those columbaria nearly during the Ching Ming and Chung Yeung Festival periods for years. The operations are effective while additional Police resources is not required at this stage.	Noted.
HKPF(2)	3. Having examined the revised Management Plan submitted by the applicant, from the perspective of crowd management and traffic matters, the Police would have no further comment on it.	Noted.
HKPF(3)	4. Furthermore, the Police have to no further comment on the information stated in Appendix VII of your document provided.	Noted.



**1.13 Response to Comments from the Antiquities and Monuments Office (Subject Officer: Kevin CHAN, Tel: 2655 0722)**

Item	Departmental Comments	The Applicant's Responses
AMO(1)	As per the enclosed plans, there is no declared monument, graded historic building nor new item pending for grading assessment by the Antiquities Advisory Board (“AAB”) within the application site. The Entrance Gate of Sai Lam Temple at No. 198 Sheung Wo Che, which partly falls within the application site, was confirmed with ‘no grading’ by the AAB on 4 December 2014. Thus, the Antiquities and Monuments Office has no adverse comment on the captioned rezoning application.	Noted.

**1.14 Response to Comments from the Fire Services Department (Subject Officer: QIU Yi, Tel: 2733 5845)**

Item	Departmental Comments	The Applicant's Responses
FSD(1)	<p>He has no objection in principle to the captioned application subject to water supplies for firefighting and fire service installations being provided to the satisfaction of Director of Fire Services. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans, or referral from licensing authority.</p> <p>Furthermore, the EVA provision in the captioned site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation 41D which is administered by the Buildings Department.</p>	Noted.